

# NEW HAMPSHIRE REAL ESTATE COMMISSION

## PUBLIC HEARING

JULY 30, 2003

A public hearing of the New Hampshire Real Estate Commission was held on Wednesday, July 30, 2003 at 10:00 a.m. in Room 425, State House Annex, 25 Capitol Street, Concord, New Hampshire 03301.

The Public Hearing called to order at 10:00 a.m. by Chairman Arthur Slattery  
Present: Commissioners Arthur Slattery, Martin Smith, Barbara Heath, Pauline Ikawa, Nancy LeRoy, Executive Director Beth Emmons, and Investigator Ann Flanagan.

A public hearing was held on the following initial rule proposal:

Rea 301.02 Fees.

- (a) The applicant for each original *individual or firm* broker license and renewal thereof shall pay a fee of \$90.
- (b) The applicant for each original salesperson license and renewal thereof shall pay a fee of ~~\$65~~\$70.
- (c) The broker, ~~or~~ salesperson *or firm* shall pay a fee of \$5 for each duplicate license.
- (d) The broker, ~~or~~ salesperson *or firm* shall pay a fee of \$15 for each license amendment.
- (e) The broker, ~~or~~ salesperson *or firm* shall pay a fee of \$5 for each certificate of license and good standing.
- (f) The applicant for each qualifying examination shall pay a fee of ~~\$65~~\$100.
- (g) The broker or salesperson shall pay a fee of \$25 or 5% of the face amount of the check, whichever is greater, plus all protest and bank fees for each check, draft or money order dishonored and returned to ~~this office~~ *the commission* pursuant to RSA 6:11-a.
- (h) The broker, ~~or~~ salesperson *or firm* shall pay a ~~penalty~~ *late* fee of \$50, in addition to the regular renewal fee, for renewal of a license up to 6 months after its expiration.
- (i) Real estate course providers shall pay an evaluation fee of \$30 each time a course is submitted to the commission for accreditation or reaccreditation.
- (j) Individual real estate licensees shall pay a fee of \$10 for each course submitted to the commission to be evaluated for continuing education credit.

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The following persons were present at the hearing:

Commission: Commissioners Arthur Slattery, Barbara Heath, Martin Smith, Pauline Ikawa, Nancy LeRoy, Executive Director Beth Emmons, and Investigator Ann Flanagan.

Also in attendance: Kipp Cooper, J. Blakeney Bartlett, Norma Champagne, Neal Barrett, William Arnott, James and Susan Barry, Kathy Corey-Fox, and Ed Giargiari.

This hearing was called by the Commission as part of the formal administrative rulemaking process under RSA 541-A, to solicit input from the public and the real estate industry before proceeding further with the process. The Real Estate Commission will be accepting written testimony from any members of the public regarding this rule proposal until the end of the business day of July 30, 2003. On motion by Commissioner LeRoy, seconded by Commissioner Smith, the public hearing was adjourned. Chairman Slattery adjourned the public hearing at 10:30 a.m.

**NEW HAMPSHIRE REAL ESTATE COMMISSION**

**COMMISSION MEETING**

**JULY 30, 2003**

A meeting of the New Hampshire Real Estate Commission was held on Wednesday, July 30, 2003 at 10:35 a.m. in Room 425, State House Annex, 25 Capitol Street, Concord, New Hampshire 03301.

Meeting called to order at 10:35 a.m. by Chairman Arthur Slattery.

Present: Commissioners Arthur Slattery, Martin Smith, Pauline Ikawa, Barbara Heath, Nancy LeRoy, Executive Director Beth Emmons, and Investigator Ann Flanagan.

- I. Motion by Commissioner Smith, seconded by Commissioner LeRoy, to approve and accept the minutes of the Commission meeting held on July 15, 2003.

II. **APPOINTMENTS**

10:40 a.m. - NEAL BARRETT appeared before the Commission to present a proposed 40 hour pre-licensing course for approval. Mr. Barrett also appeared to request from the Commission, a clarification of the recent legislation passed requiring all applicants for the salesperson's examination to complete 40 hours of approved study. Mr. Barrett's 40 hour pre-licensing course

consisted of 34 hours of pre-licensing education prior to examination, and 6 additional hours of education after the examination, but prior to licensure. After review and discussion, the Commission unanimously denied Mr. Barrett's course based on the new statutory language which requires the 40 hours of approved study to be completed prior to examination.

III. **DISCUSSION**

**40 HOURS OF APPROVED STUDY REQUIREMENT FOR ALL SALESPERSON APPLICANTS.** After discussion with pre-licensing instructors present at the meeting on what will be accepted as approved study for the 40 hour education requirement for all salesperson examination applicants, the Commission unanimously decided that the 40 hours of approved study will only consist of a standard 40 hour pre-licensing course. This course will be developed into segments, and each segment will be in credit increments. The Commission also decided to allow a student, who misses a segment of the course, to make that segment up with the instructor, or make the segment up with another instructor, to fulfill the 40 hour requirement. The Commission appointed Neal Barrett and William Arnott to form a committee of pre-licensing instructors to design a standard 40 hour pre-licensing curriculum, which would be made up of 2 or 3 hour segments. Neal Barrett was appointed to report back to the Education Program Assistant, Fran West on the status of the committee appointed.

**COURSES APPROVED BY COMMISSION PRIOR TO DECISION OF 40 HOUR COMMISSION APPROVED STUDY.** On motion by Commissioner Slattery, seconded by Commissioner Smith, the Commission reversed its decision made at the May 2003 Commission meeting, on a course submitted by pre-licensing instructor, Kathy Roosa. This course consisted of 30 classroom hours of pre-licensing education, and an additional 10 hours of non-classroom education made up of 644 questions. The Commission decided that all 40 hours of approved study will be classroom education only.

**CONSUMER AGENCY RELATIONSHIP BROCHURE** – the Consumer Brochure Committee submitted the proposed Consumer Agency Relationship Brochure for Commission approval. After review and discussion, the Commission suggested a couple of changes. The Executive Director and Investigator to make the changes and present the Consumer Brochure to the Commission in final form.

IV. **OTHER BUSINESS** - None

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VIII. ADJOURNMENT

Motion by Commissioner SMITH, seconded by Commissioner IKAWA to adjourn the meeting. Chairman Slattery adjourned the meeting at 1:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara J. Heath".

BARBARA J. HEATH

Clerk